

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
	)	
Amendment of Section 73.622(i),	)	MB Docket No. 08-111
Final DTV Table of Allotments,	)	RM-11454
Television Broadcast Stations.	)	
(Kansas City, Missouri)	)	

**REPORT AND ORDER  
(Proceeding Terminated)**

**Adopted: October 7, 2008**

**Released: October 17, 2008**

By the Chief, Video Division, Media Bureau:

1. The Commission has before it a Notice of Proposed Rulemaking<sup>1</sup> issued in response to a petition for rulemaking filed by KMBC Hearst-Argyle Television, Inc. (“KMBC”), the licensee of KMBC-DT, pre-transition digital channel 7, and permittee of KMBC-DT, post-transition digital channel 9, Kansas City, Missouri, requesting the substitution of channel 29 for post-transition digital channel 9 at Kansas City. KMBC filed comments. No other comments were received.

2. We believe the public interest would be served by substituting DTV channel 29 for DTV channel 9 because it will allow KMBC-DT to better replicate its analog service and will avoid the difficult engineering challenge of having to operate on VHF band channel 9. KMBC’s parent company is the licensee of KCWE(TV), channel 29, Kansas City, Missouri, and KCWE(TV) will be terminating its analog operation on channel 29 at the end of the DTV transition.<sup>2</sup> KMBC states that KCWE-DT is currently operating on its post-transition DTV channel 31 and is poised to terminate its channel 29 analog operation on schedule. KMBC’s construction and operation of its post-transition DTV facilities will be expedited because it will operate KMBC-DT’s post transition digital facilities on channel 29 using KCWE(TV)’s current analog antenna configuration at KCWE(TV)’s current analog tower site.<sup>3</sup>

3. DTV channel 29 can be substituted for DTV channel 9 at Kansas City, Missouri as proposed, in compliance with the principal community coverage requirements of Section 73.625(a) of the Commission’s rules, at coordinates coordinates 39-05-1 N. and 94-30-57 W. In addition, we find that this channel change meets the technical requirements set forth in Sections 73.616 and 73.623 of the Commission’s rules with the following specifications:

<sup>1</sup> *Kansas City, Missouri*, DA 08-1488 (released July 11, 2008).

<sup>2</sup> Petition at 2.

<sup>3</sup> *Id.* at 3.

City and State	DTV Channel	DTV Power (kw)	Antenna HAAT (meters)	DTV Service Pop. (thous.)
Kansas City, Missouri	29	1000	358	2283

4. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's rules, IT IS ORDERED, That effective 30 days after date of publication of this Report and Order in the Federal Register, the DTV Table of Allotments, Section 73.622(i) of the Commission's rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City and State</u>	<u>Channel No.</u>
Kansas City, Missouri	*18, 24, 29, 31, 34, 42, 47, 51

5. IT IS FURTHER ORDERED, That within 45 days of the effective date of this Order, KMBC Hearst-Argyle Television, Inc. shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV channel 29 in lieu of DTV channel 9.

6. The Commission will send a copy of this Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. § 801(a)(1)(A).

7. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

8. For further information concerning the proceeding listed above, contact Shaun A. Maher, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau